

## HOUSE BILL NO. 17

INTRODUCED BY R. BUZZAS

BY REQUEST OF THE MONTANA HISTORICAL SOCIETY

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT ALL MONEY RECEIVED BY THE MONTANA HISTORICAL SOCIETY THROUGH DONATION, GIFT, BEQUEST, OR LEGACY BE USED FOR THE GENERAL OPERATION OF THE SOCIETY UNLESS OTHERWISE PROVIDED BY THE DONOR; AMENDING SECTIONS 22-3-107 AND 22-3-114, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 22-3-107, MCA, is amended to read:

**"22-3-107. Authority of board.** The powers and duties of the trustees are as follows:

(1) to elect annually from among their number a president, a vice president, and a secretary;

(2) to adopt bylaws for their own government and to make rules, not inconsistent with law, for the proper administration of the society in the interests of preserving the rich heritage of this state and its people;

(3) to appoint a director, fix the director's salary, and prescribe the director's duties and responsibilities;

(4) to create classes of memberships in the society as they consider desirable, to determine the qualifications for any class of membership, and to set the fees to be paid for memberships;

(5) to sell or exchange publications and other museum or art objects and use the money arising from sales for the operation of the society and for the acquisition of historical materials and objects of art;

(6) to sell or exchange surplus or duplicate books, surplus museum or art objects, or artifacts not pertinent to the region encompassed by the Montana historical society mission and to use the money arising from the sales exclusively for acquisitions of library, art, and museum artifacts;

(7) to see that the collections and properties of the society are maintained in good order and repair;

(8) to report to the governor and, as provided in 5-11-210, the legislature biennially. The report must include a statement of all important transactions and acquisitions, with suggestions and recommendations for the better realization of the purposes of the society and the improvement of its collections and services.

(9) to accept, receive, and administer in the name of the society any gifts, donations, properties, securities, bequests, and legacies that may be made to the society. Money in the amount of less than \$500

received by donation, gift, bequest, or legacy, unless otherwise provided by the donor, must be deposited in the state treasury and used for the general operation of the society. ~~Unless otherwise provided by donor, donations, gifts, bequests, or legacies in the amount of \$500 or more must be deposited in the acquisitions trust established in 22-3-113.~~

(10) to collect, assemble, preserve, and display, when appropriate, all obtainable books, pamphlets, maps, charts, manuscripts, journals, diaries, papers, business records, paintings, drawings, engravings, photographs, statuary, models, relics, and all other materials illustrative of the history of Montana in particular and generally of the Pacific Northwest, Northern Rocky Mountain, and Northern Great Plains regions and of the United States of America when pertinent;

(11) to procure from pioneers, early settlers, and others narratives of the events relative to the early settlement of Montana, the Indian occupancy, Indian and other wars, overland travel and immigration to the territories of the west, and all other related documents of Montana's history, development, and society;

(12) to gather contemporary information, specimens, and all other materials that exhibit faithfully the distinctive historical and contemporary characteristics of the area, with particular attention to Indian, military, and pioneer artifacts and implements;

(13) to collect and preserve such natural history objects as fossils, plants, minerals, and animals;

(14) to collect and preserve books, maps, manuscripts, and other materials as will tend to facilitate historical, scientific, and antiquarian research;

(15) to promote the study of Montana history by lectures and publications;

(16) to publish a roadside history of Montana, with maps, photographs, and text that will enable tourists, citizens, and students to understand the history of the countryside seen from the state's main roads;

(17) to generally foster and encourage the fine arts and cultural activities in Montana;

(18) to receive for and on behalf of the state, by donation or otherwise, art objects of any kind and description and to exhibit and circulate the objects in Montana and elsewhere;

(19) to microfilm papers or documents in danger of disappearance or injury; and

(20) to coordinate the administration of the historic records network established in 22-3-211."

**Section 2.** Section 22-3-114, MCA, is amended to read:

**"22-3-114. Use of acquisitions trust funds -- principal nonexpendable -- investment of principal -- reversion of unspent revenue.** (1) The principal of the acquisitions trust established in 22-3-113 is intended

1 to be a permanent fund subject to investment by the board of investments in accordance with investment  
2 principles established for the investment of state funds in Title 17, chapter 6, part 2.

3 (2) ~~Unless otherwise provided by the donor, donations of \$500 or more received pursuant to~~  
4 ~~22-3-107(9) and revenue~~ Revenue earned by the Montana historical society from sales provided for by  
5 22-3-107(6) must be placed in the acquisitions trust.

6 (3) Interest earned on the principal of the acquisitions trust may be used only for the purpose of  
7 acquiring society library, museum, archive, and photoarchive items or collections.

8 (4) Revenue that is not expended on appropriate acquisitions authorized in subsection (3) and that  
9 remains at the end of each fiscal year reverts to the principal of the acquisitions trust for investment as provided  
10 in subsection (1).

11 (5) The provisions of 17-2-108 that require the expenditure of nongeneral fund money prior to the  
12 expenditure of general fund money do not apply to the expenditure of revenue made available to the society  
13 from the acquisitions trust."

14  
15 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

16 - END -